

R E M A R K S

The office action of July 7, 2005 has been reviewed and its contents carefully noted. Reconsideration of this case, as amended, is requested. Claims 1-26, 29-35, 38-39 and 41-47 remain in this case, claims 41 through 47 being added by this response.

No new matter has been added. More specifically, claim 41 is fully supported by claim 28, as filed. Claims 42-45 are fully supported by Figures 6, 7, 15, and 28. Each of these Figures show a cross-sectional view; therefore, the light is going through the fiber normal to the fiber. Claims 46 and 47 are fully supported by Figures 12 and 42, and page 14, line 27 to page 15, line 3 and page 21, lines 15-18 of the application, as filed.

The numbered paragraphs below correspond to the numbered paragraphs in the Office Action.

Rejection under 35 U.S.C. §102

3. Claims 1 and 2 were rejected under 35 U.S.C. 102(b) as being anticipated by Goldman et al. (4,928,695). Applicant respectfully disagrees with this rejection.

Goldman discloses a catheter to laser diagnose and treat abnormal electrically conducting tissue of an organ in a human body. This is very different from the invention of claim 1, which is a fiber with a lens for an electronic display.

Claim 1 includes, in part “a fiber for use in an electronic display.” The Examiner states that Goldman discloses a fiber for use in an electronic display, and points to col. 1, lines 5-10 and col. 6, line 12 to support this statement. The first passage the Examiner cites reads “This invention relates to in vivo catheters or probes, and, more particularly, to an in vivo catheter capable of detecting abnormalities in the electrical conducting bundles of the heart or other electrical field-producing organs of the human body, and then treating the affected area with a laser.” (col. 1, lines 5-10). This passage merely states that the invention is an in vivo catheter or probe; it mentions nothing about a fiber for use in an electronic display.

The Applicant believes that the second passage that the Examiner is referring to is “The reflected, phase conjugated beam 45 enters the control unit 14 from the optic fiber 32 and is transmitted through a lens 46 to the entrance face of a vidicon 48 located exteriorly of the control unit 14. This image can then be displayed on a screen 50, also located exteriorly of the control unit 14, for viewing by the attending physician.” (col. 6, lines 8-14) While this passage mentions an “optical fiber”, and “displayed on a screen”, it does not disclose a fiber for use in an electronic display. The optical fiber in Goldman et al. is not used in an electronic display. It is part of an in-vivo catheter, which obtains the beam from inside the body. That image is then transferred to a screen. While Goldman does mention using a screen 50 in his apparatus, it is to display the image coming from the vidicon 48 and is located externally from the control unit 14, which is where the fibers 32 and 36 are located. The optical fibers in Goldman are not for use in an electronic display.

Claim 1 also includes “wherein said fiber comprises: a) at least one electrode; and b) a lens function designed into at least a part of said fiber”. The Examiner points to the following passages to support her assertion that the lens function is disclosed in Goldman. “The control unit 14 is connected to a low power, illuminating laser 28 which transmits a mapping, laser beam 30 into an optic fiber 32 carried within the flexible tube 12 having a discharge end 34 at the tip 16 of the flexible tube 12. The mapping beam 30 strikes the heart 15 and at least a portion of the mapping beam 30 forms a reflected beam 37. This reflected beam 37 is transmitted through a third optic fiber 36 mounted within the flexible tube 12 between the tip 16 and the control unit 14”. (col. 5, lines 42-50) “The conjugated beam 44 is then reflected off of the heart 15 and at least a portion thereof enters the optic fiber 32 producing a reflected, phase conjugated beam 45. This reflected, phase conjugated beam 45 moves through the optic fiber 32 in the opposite direction from the initial, mapping beam 30, i.e., toward the control unit 14, and along substantially the same path as the mapping beam 30.” (col. 6, lines 1-8). Neither of these passages disclose a lens designed into at least a part of a fiber. In fact, the lens 46 is not part or even shown to be attached to the optical fiber in Goldman.

Since claim 1 includes one or more elements not disclosed in Goldman, the anticipation rejection of claim 1 is overcome. Reconsideration and withdrawal of the rejection of claim 1 is respectfully requested.

Dependent claim 2, being dependent upon and further limiting claim 1, should also be allowable for that reason, as well as for the additional recitations it contains. Reconsideration and withdrawal of the rejection of claim 2 is respectfully requested.

Rejection under 35 U.S.C. §103

5. Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman. Applicant respectfully disagrees with the rejection. The argument regarding the anticipation of claim 1, upon which claim 12 depends, is repeated here by reference.

Claim 1, upon which claim 12 depends, includes, in part “a fiber for use in an electronic display.” Goldman does not teach or suggest a fiber for use in an electronic display. The optical fiber in Goldman et al. is not used in an electronic display. It is part of an in-vivo catheter, which obtains the beam from inside the body. That image is then transferred to a screen. While Goldman does mention using a screen 50 in his apparatus, it is to display the image coming from the vidicon 48 and is located externally from the control unit 14, which is where the fibers 32 and 36 are located. The optical fibers in Goldman are not for use in an electronic display.

Claim 1 also includes “wherein said fiber comprises: a) at least one electrode; and b) a lens function designed into at least a part of said fiber”. Goldman does not teach or suggest a lens designed into at least a part of a fiber. In fact, the lens 46 is not part or even shown to be attached to the optical fiber in Goldman.

Goldman does not teach or suggest claim 1. Therefore, claim 1 is not obvious over Goldman.

Dependent claim 12, being dependent upon and further limiting claim 1, should also be allowable for that reason, as well as for the additional recitations it contains. Reconsideration and withdrawal of the rejection of claim 12 is respectfully requested.

6. Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman in view of Rockwell, III (5,748,825). Applicant respectfully disagrees with the rejection. The argument regarding the anticipation of claim 1, upon which claim 13 depends, is repeated here by reference.

Claim 1, upon which claim 13 depends, includes, in part “a fiber for use in an electronic display.” Goldman does not teach or suggest a fiber for use in an electronic display. The optical fiber in Goldman et al. is not used in an electronic display. It is part of an in-vivo catheter, which obtains the beam from inside the body. That image is then transferred to a screen. While Goldman does mention using a screen 50 in his apparatus, it is to display the image coming from the vidicon 48 and is located externally from the control unit 14, which is where the fibers 32 and 36 are located. The optical fibers in Goldman are not for use in an electronic display.

Claim 1 also includes “wherein said fiber comprises: a) at least one electrode; and b) a lens function designed into at least a part of said fiber”. Goldman does not teach or suggest a lens designed into at least a part of a fiber. In fact, the lens 46 is not part or even shown to be attached to the optical fiber in Goldman.

Regarding claim 1, Rockwell III does not provide what Goldman lacks. More specifically, Rockwell III does not disclose a fiber comprising a lens function designed into at least a part of a fiber. Neither Goldman or Rockwell III, alone or in combination, teach or suggest claim 1. Therefore, claim 1 is not obvious over these references.

Dependent claim 13, being dependent upon and further limiting claim 1, should also be allowable for that reason, as well as for the additional recitations it contains. Reconsideration and withdrawal of the rejection of claim 13 is respectfully requested.

Allowable Subject Matter

7. Claims 3-11 and 14-19 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 1, upon which claims 3-11 and 14-19 depend, should now be allowable.

Dependent claims 3-11 and 14-19, being dependent upon claim 1, should also be allowable for that reason, as well as for the recitations they contain. Reconsideration and withdrawal of the objection of claims 3-11 and 14-19 is respectfully requested.

8. Applicant gratefully acknowledges Examiner's statement that claims 20-26, 29-35 and 38-39 are allowable.

Conclusion

Applicant believes the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicants' attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

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